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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/317,766	05/24/1999	DAVID H. DECKER	99CR021/KE	9532

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ROCKWELL COLLINS INC
KYLE EPPELE M/S 124-323
400 COLLINS RD NE
CEDAR RAPIDS, IA 52498

EXAMINER

SONG, HOSUK

ART UNIT	PAPER NUMBER
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2135

DATE MAILED: 01/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/317,766	DECKER ET AL.	
	Examiner	Art Unit	
	Hosuk Song	2135	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6,8-10,12-16,18 and 19 is/are rejected.
- 7) ☒ Claim(s) 7,11,17 and 20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-2,8,12,15 are rejected under 35 U.S.C. 102(e) as being anticipated by Fifield(US 6,178,512).

Claim 1: Fifield disclose first wireless and second wireless network in (fig.2 and col.3,lines 45-58). Fifield discloses a translator(fig.2) for use with a first wireless network and a second wireless network in (col.2,lines 17-33;col.3,lines 49-56). Fifield disclose communicating in a first encrypted format in (col.3,lines 62-65). Fifield disclose second wireless network including a second terminals communicating in a non-encrypted format in (col.3,lines 49-62;col.6,lines 5-13). Fifield disclose translator including a first translator terminal communicating with the first terminals in (fig.2). Fifield disclose first translator terminal in data communication with the second translator terminal and a second translator terminal communicating with the second terminals in(col.23,lines 18-34 and fig.2). Fifield disclose translator communicating selected information between the first network and the second network in (col.6,lines 5-13).

Claim 2: Fifield disclose translator includes a message filter for allowing the selected information to be communicated from the first network to the second network in (col.2,lines 17-33).

Claim 8: Fifield disclose communicating data among the first terminals in a first format in (col.5,lines 48-50). Fifield disclose communicating data among the second terminals in a second format in (col.5,lines 55-58). Fifield disclose translating selected data in the first format to

Art Unit: 2135

translated data in the second format using a translator having a first translator terminal communicating with the first terminals in the first format and a second translator terminal communicating with the second terminals in the second format, the first translator terminal in data communication with the second translator terminal and communicating the translated data to the second terminals in (fig.2 and col.2,lines 17-33;col.3,lines 49-56).

Claim 12: Fifield discloses translating the data in the second format to the data in the first format and communicating the translated data among the first terminals in (col.5,lines 55-58).

Claim 15: Fifield discloses first means for communicating radio signals(wireless communication) in a first encrypted format in (fig.2 and col.3,lines 62-65). Fifield discloses a second means for communicating radio signals in a second encrypted format or in a non-encrypted format in (col.3,lines 49-62;col.6,lines 5-13). Fifield disclose translator including a first translator terminal communicating with the first terminals in (fig.2). Fifield disclose first translator terminal in data communication with the second translator terminal in (col.23,lines 18-34 and fig.2). Fifield discloses a second translator terminal communicating with the second terminals in (fig.2 and col.3,lines 45-48). Fifield disclose translator communicating selected information between the first network and the second network in (col.2,lines 17-33).

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

2. Claims 5,9,13,14,16,18,19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fifield.(US 6,178,512).

Art Unit: 2135

Claims 5,9,16: Fifield does not specifically disclose secure link 16 terminals. Official notice is taken that secure link 16 is well known in the art. One of ordinary skill in the art would have been motivated to employ secure link 16 terminal in order to secure data transferring from one terminal to another. Secure link 16 widely used in US military forces to communicate intelligence data.

Claim 18: Examiner takes Official notice that translating step is performed to be a translator under control of a US organization is well known in the art. One of ordinary skill in the art would have been motivated to have translator under control of a US organization in order to prevent misuse, abuse by outsiders where security can be breached. For example, there are many circumstances where the distribution or the use of encryption is regulated by the government. Presently, US government allows general purpose encryption products to be exported from the US to other countries only if those products utilize approved encryption algorithms and key sizes are weaker than a certain measure.

Claim 19: Fifield does not specifically disclose translator located in an aircraft. Air surveillance used by an aircraft is well known in the art. One of ordinary skill in the art would have been motivated to install translator in an aircraft in order to deter and detect air signals transmitted from one country.

In claims 13,14: examiner takes Official notice that translating step is performed to be a translator under control of a US organization is well known in the art. One of ordinary skill in the art would have been motivated to have translator under control of a US organization in order to prevent misuse, abuse by outsiders where security can be breached. For example, there are many circumstances where the distribution or the use of encryption is regulated by the government. Presently, US government allows general purpose encryption products to be

Art Unit: 2135

exported from the US to other countries only if those products utilize approved encryption algorithms and key sizes are weaker than a certain measure.

3. Claims 3-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fifield(US 6,178,512) in view of Frink(US 4,870,571).

Claims 3,4: Fifield does not specifically disclose the message filter being programmable. Frink patent disclose programmable message filter in (col.3,lines 12-13). It would have been obvious to person of ordinary skill in the art at the time invention was made to make message filter programmable as taught in Frink with translator disclosed in Fifield because message types varies therefore treating each messages case by cases requires filter to be programmable in order to adapt changes. Further by making filter programmable, it gives user a freedom to how to handle incoming messages without having to make a major hardware or software upgrade.

4. Claims 6,10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fifield(US 6,178,512) in view of Ahmadi et al.(US 6,597,671).

Claims 6,10: Fifield does not specifically disclose spread spectrum tactical data terminals having country unique encryption. Ahmadi patent disclose this limitations in (col.8,lines 29-36 and col.11,lines 31-39). It would have been obvious to person of ordinary skill in the art at the time invention was made to use spread spectrum tactical data terminals having country unique encryption as taught in Ahmadi with system of Fifield in order to minimize interferences between network thus enhancing reliability and performance. Further having country unique encryption prevents unauthorized user from joining the network or to monitor the data traffic thus enhancing network security.

Claim Objections

5. Claim 20 is objected to because of the following informalities: Typo "mans" should be "means". Appropriate correction is required.

Allowable Subject Matter

6. Claims 7,11,17,20 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Applicant's arguments

7. Claims 1-20 are pending. The previous grounds of rejection based on the Boebert, Frink and Ahmadi patents are withdrawn in view of Applicant's arguments in the Amendment filed 7/1/2004. However, newly discovered prior art has necessitated new grounds of rejection. The new grounds of rejection are presented above. The delay in citation of the newly discovered prior art is regretted.

Applicant has requested that the Examiner cite a reference showing the limitations of claim 14. In response: Applicant has not provided any substantial information, evidence or arguments challenging the Official Notice in the rejection of the claim. See MPEP 2144.03.

Conclusion

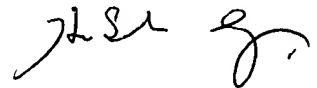
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hosuk Song whose telephone number is 571-272-3857. The examiner can normally be reached on Tue-Fri from 6:00 am – 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on 571-272-3859. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2135

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HS

A handwritten signature in black ink, appearing to be "JLS" followed by a stylized flourish.